

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	
)	Chapter 15 Case
FAIRFIELD SENTRY LIMITED, et al.,)	
)	Case No: 10-13164 (SMB)
Debtors in Foreign Proceedings.)	
)	Jointly Administered
)	
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,)	
)	
Plaintiffs,)	Adv. Pro. No. 10-03496
-against-)	
)	
THEODOOR GGC AMSTERDAM, et al.,)	Administratively
)	Consolidated
Defendants.)	
)	
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,)	
)	
Plaintiffs,)	Adv. Pro. No. 10-03635
-against-)	
)	
ABN AMRO Schweiz AG, et al.,)	
)	
Defendants.)	
)	
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,)	
)	
Plaintiffs,)	Adv. Pro. No. 10-03636
-against-)	
)	
ABN AMRO Schweiz AG, et al.,)	
)	
Defendants.)	
)	
FAIRFIELD SENTRY LTD. (IN LIQUIDATION), et al.,)	
)	
Plaintiffs,)	Adv. Pro. No. 10-04088
-against-)	
)	
CREDIT SUISSE (LUXEMBOURG) SA, et al.,)	
)	
Defendants.)	
)	

STIPULATION AND CONSENT ORDER

WHEREAS, on October 18, 2016, the Court entered a Supplemental Case Management Order providing for the integrated briefing of a motion for leave to amend filed by plaintiffs and motions to dismiss filed by defendants in the above-referenced actions [Docket No. 918] (the “Supplemental CMO”);

WHEREAS, on October 21, 2016, the Court entered a Second Supplemental Case Management Order amending the Supplemental CMO to modify the deadline for filing omnibus papers in individual adversary proceedings [Docket No. 920] (the “Second Supplemental CMO”);

WHEREAS, on January 27, 2017, Defendants Clariden Leu Ltd., Credit Suisse AG, and Leu Prima Global Fund (collectively “Defendants”) filed Motions to Dismiss in Adv. Pro. Nos. 10-03635 [Dkt. No. 236], 10-03636 [Dkt. No. 265], and 10-04088 [Dkt. No. 41] (the “Defendants’ Individual Motions to Dismiss”);

WHEREAS, on March 23, 2017, the Court entered a Third Supplemental Case Management Order amending the Second Supplemental CMO to modify the deadlines for filing omnibus papers and individual papers in the main administratively consolidated adversary proceeding and the individual adversary proceedings [Docket No. 1326] (the “Third Supplemental CMO”); and

WHEREAS, on April 4, 2017, Plaintiffs and Defendants having conferred regarding an extension of certain dates in the Third Supplemental CMO, to facilitate discussions between the parties, and to that end submitted to the Court a [Proposed] Stipulation and Consent Order [Dkt. No. 57] (the “First Stipulation”) adjourning the time for Plaintiffs to file their opposition to the Defendants’ Individual Motion to Dismiss in the main administratively consolidated adversary

proceeding and in Adversary Proceeding Nos. 10-03635, 10-03636, and 10-04088 to May 8, 2017, and adjourning the time for Defendants to file their Individual Reply Brief in the main administratively consolidated adversary proceeding and in Adversary Proceeding Nos. 10-03635, 10-03636, and 10-04088 to July 7, 2017;

WHEREAS, on April 5, 2017, the Court so ordered the First Stipulation (the “First Stipulation and Consent Order”) [Dkt. No. 59]; and

WHEREAS, Plaintiffs and Defendants have conferred regarding a further extension of certain dates in the Third Supplemental CMO, as extended by the First Stipulation and Consent Order;.

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs, on the one hand, and Defendants, on the other, as follows:

1. The time for Plaintiffs to file their memoranda of law in opposition to the Defendants’ Individual Motion to Dismiss in the main administratively consolidated adversary proceeding and in Adversary Proceeding Nos. 10-03635, 10-03636, and 10-04088 is adjourned from May 8, 2017 until **May 18, 2017**.

2. The time for Defendants to file their Individual Reply Brief in the main administratively consolidated adversary proceeding and in Adversary Proceeding Nos. 10-03635, 10-03636, and 10-04088 is **July 17, 2017**.

3. This stipulation is without prejudice to any rights, claims or defenses of the parties and the parties do not waive, and expressly reserve, all other rights, claims, and defenses.

Dated: New York, New York
May 8, 2017

<u>/s/ David J. Molton</u> BROWN RUDNICK LLP David J. Molton May Orenstein Daniel J. Saval Marek P. Krzyzowski Seven Times Square New York, NY 10026 Telephone: (212) 209-4800 dmolton@brownrudnick.com <i>Attorneys for the Foreign Representatives</i>	<u>/s/ William J. Sushon</u> O'MELVENY & MYERS LLP William J. Sushon Daniel S. Shamah 7 Times Square New York, New York 10036 Telephone: (212) 326-2000 wsushon@omm.com dshamah@omm.com <i>Attorneys for Defendants</i>
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IT IS SO ORDERED.

Dated: May 8th, 2017
New York, NY

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge